

REMARKS

This is in response to the Final Office Action of January 24, 2006. This response is accompanied by a Petition and fee for a 3-month Extension of Time and a Request for Continued Examination.

In the Office Action, Claims 27-30 were rejected under 35 USC 103 as being obvious in view of U.S. Patent No. 5,269,946 to Goldhaber et al. in view of U.S. Patent No. 6,566,046 to Lin et al. in view of U.S. Patent No. 5, 128,048 to Stewart et al.

By this Amendment, Applicants have amended independent Claim 27 to recite a manual closed blood collection system comprising, among other things, an in-line filter to remove leukocytes from a blood component separated from whole blood carried by the tubing of the system, a by-pass branch extending around the filter and a one-way valve provided in said by-pass branch. The one-way valve ensures that flow between containers travels in one direction only.

Applicants respectfully submit that, as amended, Claim 27 would not have been obvious in view of the art cited by the Examiner. Neither Goldhaber nor Stewart, taken alone or together discloses a blood collection system that includes the elements of Claim 27, as now amended. Specifically, Goldhaber and Stewart, when considered together do not disclose a one-way valve in the by-pass line. It is true that Goldhaber discloses a one-way valve. However, in Goldhaber the one-way valve (52) "is proved to close the end of the (air bleed) channel near the inflow opening to filtration device" (Col. 7, lines 4-6). While Goldhaber shows an "air-bleed" channel separate from the filter, this alternative air-bleed channel is shown with a traditional openable clamp. The openable/closeable clamp is not, however, a one-way valve.

Applicants respectfully submit that the present invention provides a blood processing set for a particular purpose, namely, the conditioning of platelets that have been derived from a manual blood collection for pathogen inactivation. Accordingly, the claimed blood processing set provides specific containers and flow paths in an arrangement that allows for such conditioning.

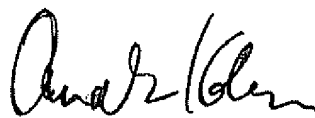
While the cited art references admittedly disclose the individual elements of a blood processing set such as multiple containers, flow paths, by-pass lines, storage solutions and the like, they do not lend themselves to an obvious combination nor do they suggest that such combination could have been made in a particular way. "One cannot pick and choose among individual parts of associate prior art references 'as a mosaic to recreate a facsimile of the claimed invention.'" Akzo et al v. U.S. International Trade Commission, 808 F.2d 1471, 1481 (Fed.Cir. 1986).

For these reasons, Applicants respectfully submit that the claims 27-30, as amended, would not have been obvious over Goldhaber et al. in view of Lin et al.

Reconsideration and allowance of the pending Claims 27-30 are respectfully requested.

Respectfully submitted,

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